

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2021-23-C - ORDER NO. 2021-821
DECEMBER 21, 2021

IN RE: Joint Application (Public Version) of Charter)	ORDER MODIFYING ETC
Fiberlink SC-CCO, LLC and Time Warner)	DESIGNATED SERVICE
Cable Information Services (South Carolina),)	AREAS
LLC for Designation as an Eligible)	
Telecommunications Carrier to Receive Rural)	
Digital Opportunity Fund Auction (Auction)	
904) Support for Voice and Broadband)	
Services and Request for Expedited)	
Consideration)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Notice of Change to ETC Designated Service Areas (“Notice of Change”) filed on October 29, 2021, in the above-captioned docket on behalf of Charter Fiberlink SC-CCO, LLC and Time Warner Cable Information Services (South Carolina), LLC (collectively, the “Charter Entities”) providing notice of modifications to the Charter Entities’ respective Rural Digital Opportunity Fund (“RDOF”) designated service areas.

The Notice of Change reported the removal from RDOF support by the Federal Communications Commission (“FCC”) of certain previously awarded RDOF census blocks in South Carolina that had been assigned to the Charter Entities. Therefore, the Commission finds that it is necessary and in the public interest to modify the Charter Entities’ respective ETC designated service areas, so that those areas will remain consistent with the updated RDOF awarded census blocks assigned to the Charter Entities wherein the FCC will direct RDOF support.

BACKGROUND

On June 3, 2021, the Commission issued Order No. 2021-408, designating the Charter Entities as Eligible Telecommunications Carriers (“ETC Designation Order”), in those RDOF designated service areas identified in Order Exhibit B to Order No. 2021-408, which was consistent with Exhibits A and B to the Charter Entities’ Joint ETC Application.¹

Recognizing that the FCC may make modifications to the awarded RDOF designated service areas, the Commission provided that the Charter Entities must notify the Commission, with a copy of such notification to be provided to the South Carolina Office of Regulatory Staff (“ORS”), of any modifications made to their respective ETC designated service areas. (ETC Designation Order, at Ordering Para. 12).

Since the ETC Designation Order was entered, the FCC has issued public notices indicating that the Charter Entities will not receive RDOF support in certain census blocks in South Carolina that CCO Holdings, LLC² had initially been awarded in the RDOF auction and thereafter assigned to the Charter Entities.³ As contemplated by the ETC

¹ *Joint Application of Charter Fiberlink SC-CCO, LLC and Time Warner Cable Information Services (South Carolina), LLC for Designation as Eligible Telecommunications Carriers to Receive Rural Digital Opportunity Fund Auction (Auction 904) Support for Voice and Broadband Services and Request for Expedited Consideration*, Docket No. 2021-23-C (filed January 6, 2021).

² CCO Holdings, LLC (“CCO Holdings”), an affiliate of the Charter Entities, participated in the RDOF Phase I Auction and was designated a winning bidder for certain census blocks in South Carolina. CCO Holdings thereafter assigned those census blocks to the Charter Entities.

³ *See Rural Digital Opportunity Fund, Public Notice – Rural Digital Opportunity Fund Bid Defaults Announced*, WC Docket No. 19-126 (FCC July 26, 2021), available at <https://docs.fcc.gov/public/attachments/DA-21-910A1.pdf> and Attachment A thereto, available at <https://docs.fcc.gov/public/attachments/DA-21-910A2.pdf> (regarding the return of 984 South Carolina census blocks by Time Warner Cable Information Services (South Carolina), LLC); *see*

Designation Order, the census blocks which have been removed from RDOF support by the FCC are identified in Order Exhibit A to this Order. The Commission hereby removes the census blocks listed in Order Exhibit A of this Order from the Charter Entities' respective ETC designated service areas in South Carolina.

Order Exhibit B to this Order lists the census blocks wherein each respective Charter Entity shall remain designated as an ETC in South Carolina. The Commission hereby modifies the Charter Entities' respective ETC designated services areas originally designated in Order No. 2021-408 now to include only those listed census blocks, as respectively assigned to each entity, and as listed in Order Exhibit B attached hereto and incorporated herein by this reference.

IT IS THEREFORE ORDERED THAT:

1. The Commission hereby approves the modifications to the ETC designated service areas to reflect the removal of those census blocks that will not receive RDOF support in South Carolina and as assigned to the Charter Entities, as more fully set forth in the Notice of Change filed in this docket.

2. The Commission therefore modifies Order Exhibit B to Order No. 2021-408 as follows: (a) the census blocks listed in Order Exhibit A to this Order shall be

also Rural Digital Opportunity Fund Preliminary List of Areas Subject to Default Announced; Corrections Sought, DA 21-1256 (FCC Oct. 7, 2021), available at <https://www.fcc.gov/document/rural-digital-opportunity-fund-preliminarydefaults-announced>, and Preliminary List of Areas Subject to Default in Response to July 26th Letter (10/7/2021), available at <https://www.fcc.gov/file/21940/download> (regarding the return of 24 additional South Carolina census blocks by Time Warner Cable Information Services (South Carolina), LLC). On October 1, 2021, Charter Communications, Inc. ("Charter") informed FCC Staff of certain additional census block groups that Charter had originally won in the RDOF auction, for which it is no longer applying for RDOF support in South Carolina. This list has not yet been publicly released by the FCC, but Charter expects that it will be at a later date.

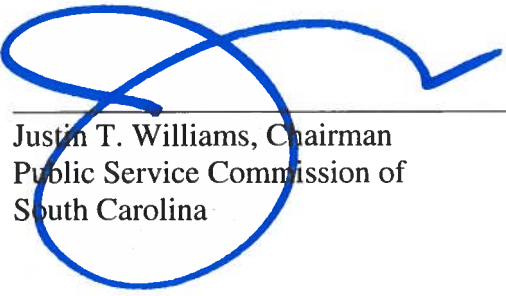
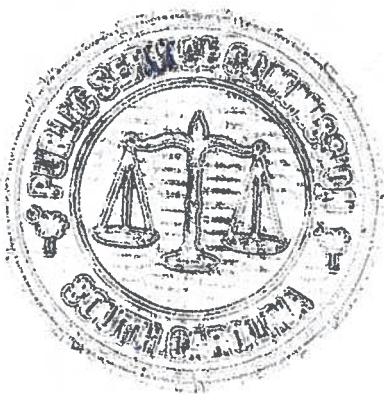
removed from the Charter Entities' respective ETC designated services areas; and (b) the census blocks listed in Order Exhibit B to this Order shall be the Charter Entities' respective ETC designated service areas in South Carolina in which they remain designated as Eligible Telecommunications Carriers.

3. The Charter Entities shall neither be designated an ETC nor have any ETC-related duties, obligations, or responsibilities pursuant to S.C. Code Ann. Regs. 103-690 and 103-690.1 (2012) in those census blocks listed in Order Exhibit A to this Order.

4. Consistent with ordering provision number 12 in Order No. 2021-408, the Charter Entities are hereby ordered to provide notification to the Commission, with copies thereof provided to ORS, of any further removal from receiving RDOF support by the FCC of RDOF designated service areas in South Carolina in which the Charter Entities are designated as ETCs.

5. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Justin T. Williams, Chairman
Public Service Commission of
South Carolina